

#3

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Reissue application of

AIZAWA, MASUO, et al.

Reissue Appln. No. 09/800,670

Group Art Unit: Not assigned

Confirmation No.: 4840

Examiner: Not assigned

Filed: March 8, 2001

RECEIVED

MAR 05 2001

OFFICE OF PETITIONS

For: LUMINESCENCE BY REACTING AN ACRIDINIUM ESTER WITH
SUPEROXIDE

PETITION UNDER 37 C.F.R. §1.47

ATTN: BOX MISSING PARTS

Commissioner for Patents

Washington, D.C. 20231

Sir:

Applicants hereby petition to have the attached Declaration, which is signed by all the inventors except the deceased inventor, accepted.

37 C.F.R. § 1.47 applies where a known legal representative of a deceased inventor cannot be found or reached after diligent effort. The attached Declaration of Facts sets forth the efforts to reach the legal representative (heir) of the deceased inventor, Dr. Yoshihito Ikariyama. The Declaration of Facts is by Mr. Kenichi Morita, who has direct, firsthand knowledge of the activities to locate the legal representative (heir) of Dr. Yoshihito Ikariyama.

As set forth in further detail in the Declaration of Facts, the company where Dr. Yoshihito Ikariyama was contacted, the application was sent to the last known address of the widow of Dr. Yoshihito Ikariyama (the legal representative (heir) of Dr. Yoshihito Ikariyama) and a colleague at the Tokyo Institute of Technology, the last university for

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which Dr. Yoshihito Ikariyama worked were contacted. It is respectfully submitted that a diligent effort has been made to reach the legal representative (heir) of Dr. Yoshihito Ikariyama. In view thereof, Applicants request that the attached Declaration signed by all the inventors except the deceased inventor be accepted. Under MPEP §409.03(a) a declaration signed by all of the available joint inventors with the signature block of the nonsigning inventor left blank may be treated as having been signed by all of the available inventors on behalf of the nonsigning inventor.

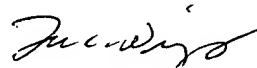
The last known address of Dr. Yoshihito Ikariyama, and his widow (legal representative (heir)), is:

10-36, Okayama 2-chome, Meguro-ku,
Tokyo 152-0033, Japan

A check for the requisite fee under 37 C.F.R. § 1.17(h) of \$130.00 is attached.

You are also directed and authorized to charge or credit any difference or overpayment to Deposit Account No. 19-4880. A duplicate copy of this transmittal letter is attached.

Respectfully submitted,



Lee C. Wright
Registration No. 41,441

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Date: December 3, 2001